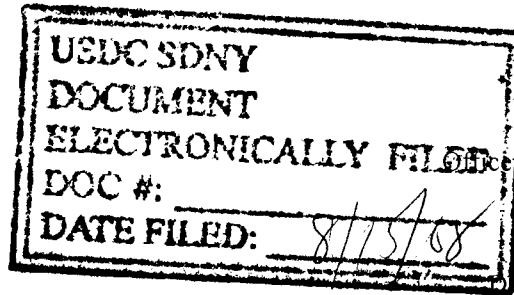


LITTLER MENDELSON®

ATTORNEYS AT LAW

August 11, 2008



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**VIA FIRST-CLASS MAIL**

Hon. Gabriel W. Gornstein, U.S.M.J.  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 510  
New York, NY 10007

**MEMORANDUM ENDORSED**

Re: New York City District Council of Carpenters v. Tri-State Folding Partitions, Inc.  
Case No. 08-cv-3415(LAP)(GWG)

Dear Judge Gornstein:

This firm represents Defendant, Tri-State Folding Partitions, Inc., in the above-referenced matter. Pursuant to Your Honor's instructions at the July 7 conference, we write to update the Court on the status of the parties' settlement discussions.

On August 6, opposing counsel, Andrew Grabois, Esq., advised us that Plaintiffs' auditor has received the documents he requested to finalize an audit of Defendant's books and records. As a result, only one outstanding issue, pertaining to Defendant's execution of an affidavit, precludes the complete settlement and dismissal of this case. We anticipate addressing and resolving this final settlement issue with Mr. Grabois during the next two weeks, after which we will file an appropriate stipulation of dismissal with the Court.

Accordingly, with the consent of Plaintiff's counsel, we respectfully request that the Court hold in abeyance any dispositive motion briefing schedule for an additional thirty (30) days, until September 8. This brief adjournment will not prejudice either party and will avoid the unnecessary expenditure of attorneys' fees on dispositive motion practice in light of the expected settlement.

Granted  
SO ORDERED DATE: 8/15/08  
GABRIEL W. GORNSTEIN  
UNITED STATES MAGISTRATE JUDGE

THE NATIONAL EMPLOYMENT & LABOR LAW FIRM

Hon. Gabriel W. Gornstein, U.S.M.J.  
August 11, 2008  
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Thank you in advance for Your Honor's consideration of this request and we are available for any conference call that the Court deems necessary.

Respectfully yours,

A handwritten signature in black ink, reading "Bryan M. Churgin". The signature is written in a cursive, flowing style. The first name "Bryan" is written with a large, prominent "B". The middle initial "M." is written in a smaller, more compact script. The last name "Churgin" is written with a large, prominent "C" and a long, sweeping tail that extends to the right.

Bryan M. Churgin

cc: Andrew Grabojs, Esq. (via email)

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